

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROBERT SOWELL,**

**Plaintiff,**

**v.**

**COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

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: **Case No. 2:18-CV-1561**

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: **CHIEF JUDGE ALGENON L. MARBLEY**

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: **Magistrate Judge Jolson**

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**ORDER**

On May 24, 2019, this Court adopted (ECF No. 5) Magistrate Judge Jolson's Report and Recommendation (ECF No. 4) Denying Plaintiff's Motion for Leave to Proceed *in forma pauperis*. On June 3, 2019 Magistrate Judge Jolson ordered plaintiff to pay the filing fee within thirty days or face dismissal for want of prosecution. (ECF No. 6).

A district court has the inherent power to dismiss a case *sua sponte* for lack of prosecution, particularly where the case has "remained dormant because of the inaction or dilatoriness of the parties seeking relief." *Link v. Wabash R. Co.*, 370 U.S. 626, 630 (1962). Where a plaintiff fails to pay a filing fee or submit the appropriate documentation in their application to proceed *in forma pauperis*, a district court is entitled to dismiss the case for want of prosecution after notice to the plaintiff. *See Erby v. Kula*, 113 F. App'x 74, 76 (6th Cir. 2004) (affirming district court's dismissal for want of prosecution where plaintiff failed to comply with deficiency order or pay filing fee).

Magistrate Judge Jolson's June 3, 2019 Order expressly warned Plaintiff that failure to comply with the order would result in the dismissal of his case for want of prosecution. Plaintiff

did not respond or otherwise pay the filing fees. For these reasons, this case is **DISMISSED**  
**WITH PREJUDICE.**

**IT IS SO ORDERED.**

s/ Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**DATED: October 21, 2019**